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ELECTRONICALLY FILED
August 18, 2014

6 Attorney for Debtors/Defendants
7 ANTHONY THOMAS and WENDI
THOMAS

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

12 || In Re:

Case No. BK-N-14-50333-BTB
Case No. BK-N-14-50331-BTB

13 ANTHONY THOMAS and
WENDI THOMAS,

Chapter 11 Cases

15 || AT EMERALD, LLC

[Jointly Administered]

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Adv. Pro. No. 14-05022

19 | KENMARK VENTURES, LLC.

Plaintiff,

**DECLARATION OF ALAN R. SMITH
IN SUPPORT OF EX PARTE MOTION
FOR ORDER SHORTENING TIME
FOR NOTICE AND HEARING ON
MOTION TO WITHDRAW AS
ATTORNEY OF RECORD**

21 || VS.

22 ANTHONY THOMAS and WENDI THOMAS.

Defendants.

Hearing Date: OST Pending
Hearing Time: OST Pending

26 I, ALAN R. SMITH, hereby declare under penalty of perjury that the following
27 assertions are true:

1. I am the court appointed general counsel for the Debtors in the above-captioned Chapter

1 11 cases. I have personal knowledge of the facts herein stated, and if called to testify as to such facts
2 I would and could do so competently.

3 2. I have caused to be filed today an Ex Parte Motion For Order Shortening Time
4 For Notice and Hearing on Motion To Withdraw As Attorney Of Record.

5 3. Pursuant to the Motion To Withdraw As Attorney Of Record, the Debtors have
6 failed substantially to fulfill various obligations to me as specified in the agreement between us.
7 Specifically, Debtors have refused to communicate timely and effectively with my office. Further,
8 the Debtors and myself have come to an impasse regarding certain aspects of my representation that
9 I believe cannot be overcome. I believe that because of the difference in opinion as how best to
10 proceed in this case, I can no longer effectively represent the Debtors. As a result an adversarial
11 relationship has developed, and I have sought withdrawal. I have requested that my motion to
12 withdrawal be heard on the same date and time as the motion to appoint chapter 11 trustee, August
13 22, 2014 at 2:00 p.m. Ordinary notice requirements cannot be met without an order shortening time
14 for a hearing to approve the immediate withdrawal from these cases.

15 DATED this 18th day of August, 2014.

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17 By: /s/ Alan R. Smith
18 ALAN R. SMITH, ESQ.
19 Attorney for Debtors
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CERTIFICATE OF MAILING

Pursuant to FRCP 5(b), I hereby certify that I am an employee of the Law Offices of Alan R. Smith, and that on this day I deposited for mailing at Reno, Nevada, and sent via email, a true and correct copy of the attached document addressed as follows:

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/s/ Debra L. Goss

Dated: August 18, 2014

By: _____
Debra L. Goss, Employee